

REMARKS

In response to the Office Action restricting the claims, mailed on March 25, 2003, applicants elect Group I (claims 1-8 and 33-43) and species as previously described.

However, applicants respectfully assert that such a restriction is improper and respectfully request reconsideration for the following reasons. All the claims recite an antibody-photoactive molecule for photodiagnostic and phototherapeutic purposes. The photoactive molecules include dyes, photosensitizers or precursors for producing reactive intermediates.

All the claimed compounds share a core internal image antibody and have the same utility, namely, receptor-targeted photoactive molecules for photodiagnostic and phototherapeutic purposes.

However, should the Examiner still deem the broad restriction proper, applicants respectfully request reconsideration of restricting the claims to a compound and method. The compound and method claims are linked (MPEP § 809.03) in that the method is for the *in vivo* administration of the inventive photoactive molecule attached to an internal image antibody to a patient for photodiagnostic and phototherapeutic purposes.

For the reasons discussed, applicants respectfully request that the Examiner reconsider the restriction requirement.

Applicants believe that all pending claims read on the elected species. Early and favorable examination on the merits is respectfully requested upon receipt.

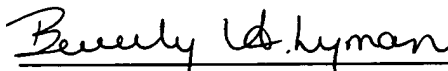
CONCLUSION

For the foregoing reasons, applicants submit that the claims are patentable, and an early Notice of Allowance is respectfully requested. Applicants believe no fees are due with this submission. However, if any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account 23-3000.

The Examiner is invited to contact applicants' undersigned representative with any questions.

Respectfully submitted,

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